PATTERSON &
SHERIDAN, LLP

RECEIVED CENTRAL FAX CENTER

JAN 23 2006

3040 Post Oak Blvd, Suite 1500 Houston, TX 77056-6582 TEL 713.623.4844 FAX 713.623.4846

FACSIMILE COVER SHEET

DATE:

January 23, 2006

FILE NO:

WEAT/0487

TO:

Examiner Daniel P. Stephenson

FAX NO:

571/273-8300

COMPANY:

USPTO

FROM:

Walter C. Grollitsch

PAGE(S) with cover: 11

ORIGINAL TO

FOLLOW?

☐ YES ⊠ NO

SECOND RESPONSE TO FINAL OFFICE ACTION DATED SEPTEMBER 22, 2005

TITLE:

EXPANDER TOOL FOR USE IN A WELLBORE

U.S. SERIAL NO.:

10/680,724

FILING DATE:

10/07/2003

INVENTOR:

Johnston et al.

EXAMINER:

Daniel P. Stephenson

GROUP ART UNIT:

3672

CONFIRMATION NO.:

8287

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

RECEIVED CENTRAL FAX CENTER

JAN 23 2006

PATENT Atty. Dkt. No. WEAT/0487

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary Johnston, et al.

Serial No.: 10/680,724

Confirmation No.: 8287

Filed:

October 7, 2003

For:

EXPANDER TOOL FOR USE IN A WELLBORE

MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

๛๛๛๛๛๛๛๛๛๛ Group Art Unit: 3672

Examiner:

Daniel P. Stephenson

Customer No.: 36735

CERTIFICATE OF FAX 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to fax number 571/273-8300 to the attention of Examiner Daniel P. Stephenson on January 23, 2006:

Walter C. Grollitsch Typed Name 48,678 Reg. No. if applicable

Dan C. Signature (713)623-4844

Telephone Number

SECOND RESPONSE TO FINAL OFFICE ACTION DATED SEPTEMBER 22, 2005

In response to the Final Office Action dated September 22, 2005, having a shortened statutory period for response extended one month set to expire on January 22, 2006 and an Advisory Action dated December 6, 2005, please enter this response and Request for Continued Examination (RCE) under 37 C.F.R. 1.114 and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/WEAT/0487/WCG for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 7 of this paper.

Page 1